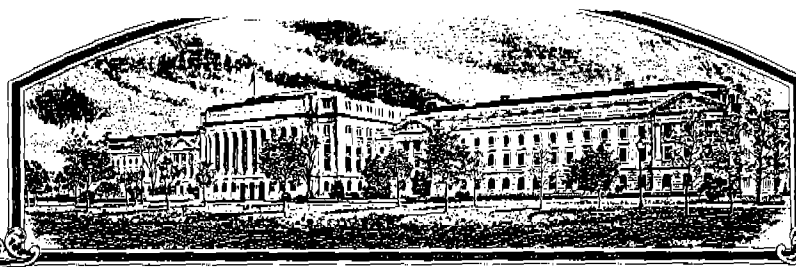


No.

8200068



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

J. Harris Seed Co., Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF **LAW** IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE **PLANT VARIETY PROTECTION OFFICE**, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND **WHEREAS**, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT **VARIETY PROTECTION** UNDER THE **LAW**.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY **LAW**, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE **PLANT VARIETY PROTECTION ACT** (U.S.C. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

EGGPLANT

'Little Fingers'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this 30th day of December in the year of our Lord one thousand nine hundred and eighty-two

Attest:

Kenneth A. Evans
Acting
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

John R. Block



APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY harris Exp. 44		1b. VARIETY NAME Little Fingers		FOR OFFICIAL USE ONLY PV NUMBER 8200068	
2. KIND NAME Eggplant		3. GENUS AND SPECIES NAME Solanum melongena		FILING DATE 2/16/82	TIME 11:00 A.M.
4. FAMILY NAME (BOTANICAL) Solanaceae		5. DATE OF DETERMINATION 1979		FEB RECEIVED 500.00 25611/26/82	DATE 2/16/82
6. NAME OF APPLICANT(S) J. Harris Seed Co., Inc.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) Moreton Farms, Rochester, N. Y. 14624		8. TELEPHONE AREA CODE AND NUMBER 716-594-9411	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Seed Company		10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware -- 8		11. DATE OF INCORPORATION 1978	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: PEER JENSEN, J. Harris Seed Co., Inc., Moreton Farms, Rochester, N. Y. 14624					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☐ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☐ YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☒ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☐ FOUNDATION. ☐ REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

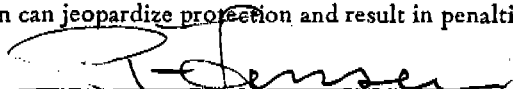
16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and till be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

2/3/82
(DATE)


(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

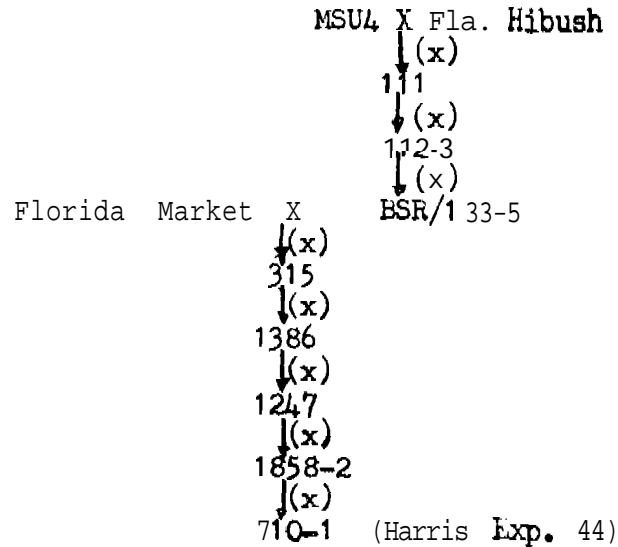
- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) **the** genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability;
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are **significant**; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any **additional characteristics** that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a c-class of certified seed) the applicant may **NOT** reverse his affirmative decision after the variety **has either** been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice, (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice..

13A. Exhibit A. Origin and Breeding History of the Variety

(1) Name of Variety -- 'Little Fingers'

(2) Genealogy & Breeding Procedure

a. Pedigree chart



b. Origin & Breeding Procedure

A cycle of hybridization with 2 popular commercial varieties (MSU4 and Florida Hiburh) ~~was~~ first made. Rigid field selection in progenies for plants with the most desirable horticultural characters resulted in a gradual approach to acceptable types, one of which is BSR, a line almost black in color with green calyx, then hybridized with Florida Market (another commercial variety) and with further selection for horticultural traits or acceptable types in the next 4-5 field crop generations resulted to a single plant being the progenitor of Little Fingers.

HARRIS SEEDS

JOSEPH HARRIS COMPANY, INC.
Moretom Farm, Rochester, New York 14624
716-594-9411 or 247-3963
TWX No. 510 253 3587

March 9, 1982

Robert J. Snyder, Examiner
Plant Variety Protection Office
U.S.D.A. Agr. Marketing Service
Livestock, Meat, Grain & Seed Div.
National Agf. Library Bldg.
Beltsville, MD 20705

Dear Mr. Snyder:

SUBJECT: Egg plant "Little Fingers"

The following is additional information in response to your letter of February 23, 1982.

Exhibit A:

1. Type and frequency of variants within variety:

Variation would only be in fruit color. Since there are at least 4 basic genes and 3 modifiers according to literature which would affect color in egg plants, there will certainly be some variation in color such that a certain proportion would be slightly lighter than others.

No variants are expected in fruit shape and fruiting habit.

2. Evidence of uniformity and stability: For the past two consecutive years of growing:

- A. 100% of plant population have fruits borne in clusters, the most distinctive character of the variety.
- B. 100% of plant population have long fruits, the second most distinctive character of the variety.
- C. 100% of plant population have calyx and other parts spineless or thornless, the 3rd most distinctive character of the variety.

March 9, 1982

Exhibit B

✓ **MOST CLOSELY** **RJS 8/9/82**
It resembles the Ichiban variety, differing from it in the following characteristics:

<u>Characteristic</u>	<u>Little Fingers</u>	<u>Xchiban</u>
Fruiting Habit	Clustered	Singulated
Color of Calyx	Colorless	v. dull, purplish black
Color of Fruit	Med. glossy brownish purple	V. dull, blackish purple
Length of Fruit	Medium long	Long
Shape of Fruit	Mostly straight and cylindrical	Mostly curved

Exhibit C:

In classifying it between the two types common and oriental, it is an oriental type.

Item 7 Fruit Shape - 4 = Long, cylindrical (Chinese long)
Skin Luster - 1 = glossy

Hopefully the above is sufficient. Thank you.

Sincerely yours,

JOSEPH HARRIS COMPANY, INC.

Peer Jensen

by R.C. Dumlao

RJ
R.C. Dumlao

RCD/PJ/mgm

13B. **Exhibit B, Novelty Statement**

Little Fingers **is** an eggplant resembling no commercial variety, it is distinctive the fact that fruits are in **clusters** of 4 to 6, **mostly** 5 (like the human hand), each is 12 to 18 **cms.** long, 2 to 3 **cms.** in diameter, spineless, very easy **to** pick,

A photograph is attached below as evidence of above **statement.**

Little Fingers may also **be distinctive** the fact that when picked at the younger stage it can be processed or pickled as in **cucumbers.**



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION
BELTSVILLE, MARYLAND 20706

EXHIBIT C
(Eggplant)

OBJECTIVE DESCRIPTION OF VARIETY
EGGPLANT

(Solanum melongena var. esculentum Nees)

NAME OF APPLICANT(S) Joseph Harris Seed Co., Inc.	VARIETY NAME OR TEMPORARY DESIGNATION Little Fingers
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) Moreton Farm, Rochester, New York 14624	FOR OFFICIAL USE ONLY PVPO NUMBER 8200068

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g. or) when number is either 99 or less or 9 or less.

1. TYPE

2 ORIENTAL *R/S 4/21/82*

1 COMMON 2 SNAKE (Oriental) 3 OTHEA (Specify) Long & Clustered

2. REGION OF BEST ADAPTABILITY IN THE U.S.A.

1 SOUTHEAST 2 SOUTHWEST 3 CENTRAL
 4 NORTHEAST 5 NORTHWEST 6 MOST AREAS

3. MATURITY

<input type="text" value="0"/> <input type="text" value="5"/>	NO. DAYS EARLIER THAN	<input type="text" value="1"/>	1 NEW HAMPSHIRE
<input type="text" value="0"/> <input type="text" value="6"/> <input type="text" value="8"/>	NO. DAYS LATER THAN	<input type="text" value="2"/>	2 BLACK BEAUTY
	DAYS FROM SEEDING TO FLOWERING		3 FLORIDA MARKET

4. PLANT CHARACTERISTICS AT FIRST FLOWER STAGE

<input type="text" value="0"/> <input type="text" value="2"/> <input type="text" value="0"/>	CM HEIGHT	<input type="text" value="0"/> <input type="text" value="8"/>	NO. OF BRANCHES FROM MAIN STEM
<input type="text" value="2"/> <input type="text" value="2"/>	MM DIAMETER AT FIRST NODE OF MAIN STEM		
<input type="text" value="1"/>	STEM COLOR: 1 = GREEN 2 = PURPLE		

5. FLOWERS (Perfect Type)

<input type="text" value="3"/> <input type="text" value="0"/>	MM COROLLA DIAMETER	<input type="text" value="1"/> <input type="text" value="0"/>	MM CALYX DIAMETER
<input type="text" value="3"/> <input type="text" value="5"/>	MM PEDUNCLE LENGTH	<input type="text" value="2"/>	FLOWER COLOR: 1 = WHITE 2 = PURPLE
<input type="text" value="1"/>	CALYX COLOR: 1 = GREEN 2 = PURPLISH	<input type="text" value="2"/>	CALYX: 1 = SPINED 2 = SPINELESS

6. LEAF (Blade) 1st Primary Leaf; Average from 25 plant sample

<input type="text" value="1"/> <input type="text" value="8"/>	CM LENGTH	<input type="text" value="1"/> <input type="text" value="3"/>	CM WIDTH	<input type="text" value="2"/> 1 PUBESCENT 2 GLABROUS
<input type="text" value="1"/> <input type="text" value="3"/>	CM PETIOLE LENGTH			MIDRIB: <input type="text" value="2"/> 1 SPINED 2 SPINELESS

7. FRUIT AT MARKET MATURITY

<input type="text" value="0"/> <input type="text" value="2"/>	CM DIAMETER AT STEM END	<input type="text" value="0"/> <input type="text" value="2"/> <input type="text" value="5"/>	CM DIAMETER AT MIDPOINT	<input type="text" value="0"/> <input type="text" value="3"/>	CM DIAMETER AT BLOSSOM END
<input type="text" value="1"/> <input type="text" value="6"/>	CM LENGTH			<input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="5"/>	GRAM WT/FRUIT
<input type="text" value="0"/> <input type="text" value="7"/>	SKIN COLOR: 1 WHITE 2 YELLOW 3 GREEN 4 LIGHT PURPLE 5 MEDIUM PURPLE 6 BLACKISH PURPLE 7 BROWNISH PURPLE 8 PINK 9 ORANGE 10 OTHER				

ASSIGNMENT

WHEREAS, Joseph Harris Company, Inc. ("Harris"), a corporation duly organized and existing under the laws of the State of Delaware is the owner of United States Plant Variety Protection Certificates listed in Exhibit A hereto; and

WHEREAS, in accordance with a Technology Transfer Agreement (the "Transfer Agreement") among Celanese Corporation ("Celanese"), Moran Seeds, Inc., Harris, **CelPril** Industries, Inc., Harris Moran International B.V. ("Sellers"), Virginia Chemicals, Inc., Les Produits Organiques du Santerre-Orsan S.A. ("Orsan"), HMS, CP Acquisition Inc., and Exploitatimaatschappij Wolwevershaven B.V., dated January 10, 1985, and a Purchase Agreement dated December 7, 1985, as amended, among Celanese, Sellers and Orsan, has purchased from Harris said United States Plant Variety Protection Certificates.

NOW, THEREFORE, in accordance with said Transfer Agreement and Purchase Agreement, Harris assigns to Orsan all of its rights, title and interest in and to said United States Plant Variety Protection Certificates.

Harris hereby authorizes Orsan to apply for and obtain the recordation of this Assignment. Harris agrees that it shall, without further consideration, promptly and duly cause to be performed such lawful acts and execution of any other documents as Orsan may reasonably request in order for Orsan to obtain the full benefits of this Assignment and to permit Orsan to be duly recorded in each office, bureau and tribunal in the appropriate jurisdiction as the registered owner or proprietor of each of the rights hereby assigned. Such instruments and documents shall include, without limitation, such applications, affidavits and other documents for filing in such jurisdictions as Orsan may from time to time reasonably request,

By these presents HMS does hereby accept this Assignment and authorize the recording thereof with the **appropriate** authorities aforesaid.

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed by its proper officers thereunto duly authorized this 10th day of January, 1985.

JOSEPH HARRIS COMPANY, INC.,
Assignor

By: David A. Jenkins
David A. Jenkins
Vice President

LES PRODUITS ORGANIQUES DU
SANTERRE-ORSAN S.A.

Assignee

By: [Signature]
Title: Attorney-in-fact

STATE OF New York
COUNTY OF New York

Before me, a Notary Public, in and for said County,
personally appeared David Jenkins who acknowledged that he
is Vice President of Joseph Harris Company, Inc., the
corporation which executed the foregoing instrument and who
acknowledged he signed said instrument on behalf of said
corporation by authority of its Board of Directors; and that
said instrument is the free corporate act and deed of said
Joseph Harris Company, **Inc.**

Sworn before me at New York this 10th day
of January, 1a-

Alex C. Lengyel
NOTARY PUBLIC

(Notary Public)

My Commission Expires:

ALEX C. LENGYEL
Notary Public, State of New York
NO. 314805123
Qualified in New York County
Commission Expires March 30, 1986

7. FRUIT AT MARKET MATURITY (Con't)

☒ 1 FLESH COLOR: 1 = WHITE 2 = GREEN 3 = ORANGE

☒ 5 FRUIT SHAPE: 1 = SHORT OVAL ('Early Beauty')
 4 AJS 4/21/82 2 = LONG OVAL ('Florida High Bush')
 3 = EGG ('Early Purple Egg')
 4 = LONG, CYLINDRICAL ('Chinese Long')
 5 = OTHER (Specify) med. long & clustered

☒ 8 SKIN LUSTER: 1 = GLOSSY 2 = DULL 3 = medium

8. DISEASE (Enter 0 = Not tested 1 = Susceptible 2 = Resistant):

<input type="checkbox"/> 0 FRUIT ROT (<i>Phomopsis vexans</i>)	<input type="checkbox"/> 0 WILT (<i>Verticillium albo-atrum</i>)
<input type="checkbox"/> 0 BACTERIAL WILT (<i>Pseudomonas solanacearum</i>)	<input type="checkbox"/> 0 TOBACCO MOSAIC VIRUS
<input type="checkbox"/> 0 POWDERY MILDEW	<input type="checkbox"/> 0 CUCUMBER VIRUS I
<input type="checkbox"/> 0 FUSARIUM WILT	<input type="checkbox"/> 0 OTHER (Specify) _____
<input type="checkbox"/> 0 OTHER (Specify) _____	
<input type="checkbox"/> 0 OTHER (Specify) _____	

9. INSECT (Enter 0 = Not Tested 1 = Susceptible 2 = Resistant):

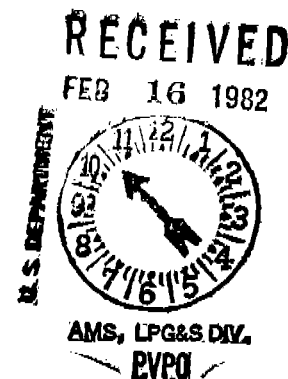
<input type="checkbox"/> 0 FLEA BEETLE	<input type="checkbox"/> 0 COLORADO POTATO BEETLE	<input type="checkbox"/> 0 EGGPLANT LACEBUG
<input type="checkbox"/> 0 APHIDS	E 1 OTHER (Specify) _____	

10. INDICATE A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED FOR EACH CHARACTER:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
MATURITY	Ichiban	FRUIT SHAPE	none
PLANT HEIGHT	none	FRUIT COLOR	Baloroi
LEAF SIZE	none	FRUIT SIZE	none

11. COMMENTS:

Fruits are in clusters of 4 to 6, mostly five and when picked young, they make excellent pickles. These fruits are easy to pick and are spineless. Excellent for oriental eggplant dish.



STATE OF New York
COUNTY OF New York

Before me, a Notary Public, in and for said County, personally appeared Patrice LeHodey who acknowledged that he is ~~Representative~~ Representative of Les Produits Organiques du Santerre-Orsan S.A. the corporation which executed the foregoing instrument and who acknowledged he signed said instrument on behalf of said corporation by authority of its Board of Directors; and that said instrument is the free corporate act and deed of said Les Produits Organiques du Santerre-Orsan S.A.

Sworn before me at New York this 10th day of January, 1985.

Alex C. Lengyel
NOTARY PUBLIC

(Notary Public)

My Commission Expires:

ALEX C. LENGYEL
Notary Public, State of New York
No. 31-4805123
Qualified in New York County
Commission Expires March 30, 1986

Exhibit A

United States Plant Variety Protection Certificates

<u>Cert. No.</u>	<u>Date Issued</u>	<u>Kind</u>	<u>Variety Name</u>	<u>Owner</u>
7200087	8/8/75	Marigold	Gypsy Sunshine	Joseph Harris Company, Inc.
7605018	9/28/77	Marigold	Cabaret Orange	Joseph Harris Company, Inc.
7800033	12/21/78	Radish	Fancy Red	Joseph Harris Company, Inc.
7800086	1/25/79	Lettuce	Deep Red	Joseph Harris Company, Inc.
8200045	9/23/82	Turnip ,	Royal Gem'	Joseph Harris Company, Inc.
8200068	12/30/82	Egg Plant	Little Fingers	Joseph Harris Company, Inc.
8300024	12/30/83	Radish	Red King	Joseph Harris Company, Inc.

DEED OF ASSIGNMENT

WHEREAS, Les Produits Organiques du Santerre - ORSAN (S.A.), a French corporation having a place of business at 16 rue Ballus, 75009 Paris, France (hereinafter referred to as "ASSIGNOR") owns and is using the Plant Variety Protection Certificates listed on the attached Exhibit for the indicated varieties which were awarded to ASSIGNOR by the Secretary of Agriculture on the indicated dates upon applications filed with the United States Plant Variety Protection Office; and

WHEREAS, Arisix (S.A.), a French corporation having a place of business at 61 rue des Belles Feuilles, 75116 Paris, France,

(hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the said varieties and Plant Variety Protection Certificates;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said varieties and said Plant Variety Protection Certificates in the United States including reissues, and including the right to enforce such rights against any past, present or future violation thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any right, title and interest assigned and transferred hereby.

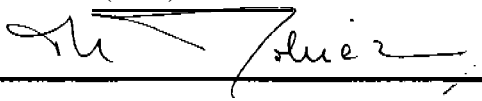
ASSIGNOR further agrees that it will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the assignment of said Certificates and the perfection of all rights thereto, execute, verify, acknowledge and deliver all such further papers and instruments of assignment and transfer

thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain the listed Certificates and to vest title thereto in said ASSIGNEE or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, an authorized representative of ASSIGNOR has hereunto signed its name to this assignment on the date indicated below.

Les Produits Organiques du Santerre
- ORSAN (S.A.)

Date: 1/11/95



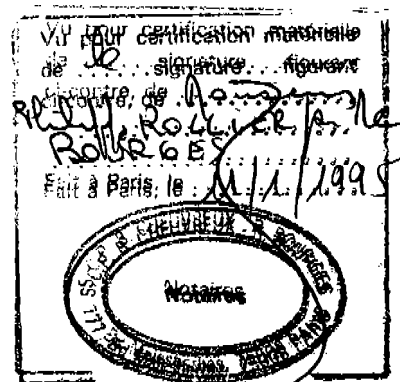
PHILIPPE ROLLIER
Print Name

PRESIDENT
Print Title

On this date, _____ 1993, before me, the undersigned notary public, personally appeared the above-named assignor, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

(Notaire)

Seal/Stamp



DEED OF ASSIGNMENT

WHEREAS, Arisix (S.A.), a French corporation having a place of business at 61 rue des Belles Feuilles, 75 116 Paris, France (hereinafter referred to as "ASSIGNOR") owns and is using the Plant Variety Protection Certificates listed on the attached Exhibit for the indicated varieties which were awarded to ASSIGNOR by the Secretary of Agriculture on the indicated dates upon applications filed with the United States Plant Variety Protection Office; and

WHEREAS, Clause (S.A.), a French corporation having a place of business at 1 Avenue Lucien Clause, 9 1221 Bretigny sur ORGE Cedex, France,

(hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the said varieties and Plant Variety Protection Certificates;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said varieties and said Plant Variety Protection Certificates in the United States including reissues, and including the right to enforce such rights against any past, present or future violation thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any right, title and interest assigned and transferred hereby.

ASSIGNOR further agrees that it will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the assignment of said Certificates and the perfection of all rights thereto, execute, verify, acknowledge and deliver all such further papers and instruments of assignment and transfer

thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain the listed Certificates and to vest title thereto in said ASSIGNEE or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, an authorized representative of ASSIGNOR has hereunto signed its name to this assignment on the date indicated below.

Date: 11/11/95

Arisix (S.A.)

[Signature]

R DE SAINT RAPT

Print Name

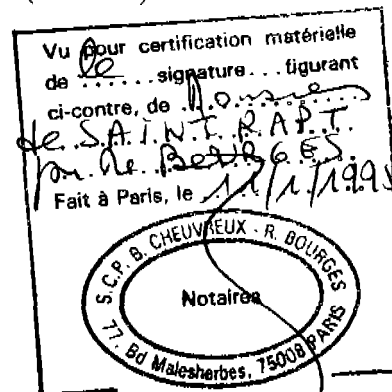
PRESIDENT

Print Title

On this date, _____, 1993, before me, the undersigned notary public, personally appeared the above-named assignor, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Seal/Stamp

(Notaire)



EXHIBIT

Certif. #	Date Status Begins	C r o p	Variety Name
7600032	09/15/77	Lettuce	Vanagara
7600039	12/08/77	Lettuce	Morangold
7605018	09/28/77	Marigold	Cabaret Orange
7800028	05/3 1/79	Muskmelon	Valley Gold
7800033	12/21/78	Radish	Fancy Red
7800086	01/25/79	Lettuce	Deep Red
7900038	01/14/82	Garden Bean	Blue Duet
7900039	07/15/82	Garden Bean	Score
7900066	11/27/79	Cauliflower	Snowball 123
8000020	07/31/80	Muskmelon	Top Net
8000082	12/10/81	Lettuce	Delmar
8100167	3/29/85	Lettuce	Yuma
8100172	09/29/83	Lettuce	Van Mor
8200027	04/23/83	Lettuce	El Toro
8200045	09/23/82	Turnip	Royal Gem
8200061	03/24/83	Watermelon	Sun Gold
8200068	12/30/82	Egg Plant	Little Fingers
8200104	10/28/82	Tomato	Advantage
8200105	11/26/82	Tomato	Moran 3053
8300024	12/30/83	Radish	Red King
8300113	08/31/84	Muskmelon	Top Net SR
8300155	02/22/85	Celery	Bishop
8300156	01/25/85	Celery	Deacon
8300172	11/29/85	Tomato	Harris Morgan 3075
8400013	2/19/88	Lettuce	Greenfield
8600032	03/11/88	Tomato	Murrieta II

Expired

Expired

Expired

PLANT VARIETY PROTECTION REGISTRATION ASSIGNMENTS

Clause, S.A. to Harris Moran Seed Company

WHEREAS, Clause, S.A. (“Assignor”), a corporation organized and existing under the laws of France, has sold and transferred assets, including plant variety protection registrations, to Harris Moran Seed Company (“Assignee”), a corporation organized and existing under the laws of the State of Maryland;

WHEREAS, Assignor, is the owner of the following plant variety protection registrations:

<u>VARIETY NAME</u>	<u>Registration No.</u>	<u>Issue Date</u>
BLUE DUET	790003 8	01/14/82
SCORE	7900039	07/15/82
TOP NET SR	8300113	08/31/84
TOP NET	8000020	07/31/80
SNOWBALL 123	7900066	11/27/79
BISHOP	8300155	02/22/85
DEACON	8300156	01/25/85
LITTLE FINGERS	8200068	12/30/82
EL TORO MI	8200027	04/28/83
DELMAR MI	8000082	12/10/81
GREENFIELD MI	8400013	02/19/88
VAN MOR MI	8100172	03/29/83
YUMA MI	8100167	03/29/85

ASSIGNMENT OF INTELLECTUAL PROPERTY

WHEREAS, HARRIS MORAN SEED COMPANY, a **corporation** duly **organized** and existing under the laws of the State of Maryland, **having its** principal place of business at 4511 **Willow Road, Suite 3, Pleasanton, California** 94588 ("**Assignor**"), has, pursuant to that **certain** Bill of Sale and Assignment dated as of June **30, 1997**, **transferred** to FERRY-MORSE SEED COMPANY (CALIFORNIA), a corporation duly **organized** and **existing** under the laws of the State of **California**, having its principal place of business at 555 **Codoni** Avenue, **P.O.** Box 4938, Modesto, California 9535214938 ("**Assignee**"), all of the intellectual property Assignor had **adopted, used** and was using as of the effective date of this Assignment, including without limitation, the **intellectual property** represented by the United States Plant Variety Protection **Certificates** of Assignor **identified** on Schedule A hereto (collectively, the "**Property**"); and

WHEREAS, **on** the date hereof, Assignee has changed its name to "Harris Moran Seed Company";

NOW, **THEREFORE**, effective by this instrument as of the close of business on June **30, 1997**, **and** for good and valuable consideration, receipt of **which** is hereby **acknowledged**, Assignor hereby assigns to Assignee any and **all** right, title and interest worldwide in and to the **Property** and any **and all recordations** thereof, including, but not limited to, the use of the Property **in** any manner, **all** benefit of **any** and all prior use of the Property, and **any and** all-rights to initiate claims-or **proceedings** for past, presentor **future** infringements of Assignor's rights, title and interest in and to the Property.

Dated: as of June **30, 1997**

HARRIS MORAN SEED COMPANY

By: 

Philip Ashcraft, President

CERTIFICATE OF AMENDMENT
OF THE
ARTICLES OF INCORPORATION
OF

FERRY-MORSE SEED COMPANY (CALIFORNIA)
(a California corporation)

7430010
ENDORSED
FILED
In the office of the Secretary of State
of the State of California

JUN 30 1997

Bill Jones
BILL JONES, Secretary of State

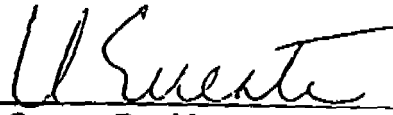
To the **Secretary** of State
State of California

Pursuant to the **provisions** of the General Corporation Law of the State of California, the undersigned **officers** of FERRY-MORSE **SEED** COMPANY (CALIFORNIA), a California corporation (the "Corporation"), do hereby certify as follows:

1. The name of the Corporation is Ferry-Morse Seed Company (California).
2. Article One of the Corporation's Articles of incorporation, which relates to the **name of the** Corporation, is hereby **amended** in its entirety to read as follows:
 - One. The name of this Corporation is:
HARRIS MORAN SEED COMPANY.
3. The amendment herein provided for has been approved by the Corporation's **Board of Directors.**
4. ~~The amendment herein provided for~~ **was approved** by the written consent of the Corporation's **sole** shareholder in accordance **with** the provisions of Section 902 of the California **General Corporation Law.** The **total** number of **outstanding** shares of the corporation is **5,000.**

IN WITNESS WHEREOF, each of the undersigned does hereby declare under the **penalty of perjury that he or she signed the foregoing Certificate of Amendment** as of June 30,

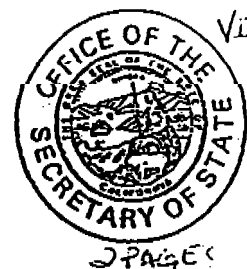
1997, in the Town of Modesto, State of California, in the official capacity set forth beneath his or her signature and that the statements set forth in this certificate are true of his or her own knowledge.


Yves Queste, President


Helen Andritsakis, Secretary

State of California

SECRETARY OF STATE



I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this

JUN 30 1937



Secretary of State

PLANT VARIETY PROTECTION REGISTRATION ASSIGNMENTS

Clause, S.A. to Harris Moran Seed Company

WHEREAS, Clause, S.A. (“Assignor”), a corporation organized and existing under the laws of France, has sold and transferred assets, including plant variety protection registrations, to Harris Moran Seed Company (“Assignee”), a corporation organized and existing under the laws of the State of Maryland;

WHEREAS, Assignor, is the owner of the following plant variety protection registrations:

<u>VARIETY NAME</u>	<u>Registration No.</u>	<u>Issue Date</u>
BLUE DUET	7900038	01/14/82
SCORE	7900039	07/15/82
TOP NET SR	8300113	08/31/84
TOP NET	8000020	07/31/80
SNOWBALL 123	7900066	11/27/79
BISHOP	8300155	02/22/85
DEACON	8300156	01/25/85
LITTLE FINGERS	8200068	12/30/82
EL TORO MI	8200027	04/28/83
DELMAR MI	8000082	12/10/81
GREENFIELD MI	8400013	02/19/88
VAN MOR MI	8100172	03/29/83
YUMA MI	8100167	03/29/85

RED KING	8300024	12/30/83
MORAN 3053	8200105	11/26/82
ADVANTAGE	8200 104	10/28/82
HARRIS MORAN 3075	8300172	11/29/85
ROYAL GEM	8200045	09/23/82
SUN GOLD	820006 1	03/24/83

WHEREAS, Assignor is desirous of selling and Assignee is desirous of acquiring the aforesaid plant variety protection registrations of Assignor.

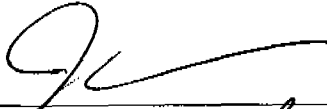
NOW THEREFORE, for \$10.00 and other good and valuable consideration, the receipt of which **is** hereby acknowledged, Assignor, by these presents sells, assigns and transfers to Assignee, its successors and assigns, all right title and interest in and to the above-referenced plant variety protection registrations, to be held and enjoyed by said Assignee, as fully as the same would have been enjoyed by said Assignor, had this assignment not been made.

Assignor also assigns and transfers to Assignee, any and all causes of action, claims, demands, or other rights occasioned from or because of any and all past **infringement** of any of the above referenced plant variety protection registrations.

Assignor further agrees that upon request, it will execute any and all documents necessary to vest all rights, title and interest in and to the above-referenced plant variety.protection registrations

IN WITNESS **WHEREOF**, said Assignor, has **affixed** its signature hereto this 22 day of January, 1997.

CLAUSE, S.A.

By: 
Name: John W. Fowler
Title: Chairman